TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number 890050.547USPC

In re Application of: Shigeki Satou et al.

Application No.: 10/592,967 Filed: September 14, 2006

For: DIELECTRIC PASTE FOR A MULTI-LAYERED CERAMIC ELECTRONIC COMPONENT AND A METHOD FOR MANUFACTURING A MULTI-LAYERED UNIT FOR A MULTI-LAYERED CERAMIC ELECTRONIC COMPONENT

The owner*, <u>TDK Corporation</u> of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Numbers <u>10/592,895, 10/590,538, 10/580,749, 10/582,995</u> and <u>10/582,994</u>, filed on <u>September 14, 2006, August 25, 2006, May 26, 2006, June 14, 2006 and June 14, 2006, respectively,</u> as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference** applications, "as the term of any patent granted on said **reference** applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** applications," in the event that: any such patent: granted on the pending **reference** applications: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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